

CITY OF HARRINGTON
ORDINANCE NO. 14-06

**AN ORDINANCE AMENDING CHAPTER 330, SEWERS, OF THE CODE OF
THE CITY OF HARRINGTON TO INCORPORATE A NEW RATE STRUCTURE**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
HARRINGTON IN COUNCIL MET:

Section 1. That § 330-1 shall be amended by deleting the existing
section and substituting in lieu thereof the following:

**§ 330-1. Sewer service charge established for properties where individual
sewer meters are not installed.**

Base and usage charges shall be collected from the users of the public sanitary
sewer system within or without the corporate limits of the City which proportions
the cost of operation, maintenance and improvements to the sanitary sewer
system to the users of the public sanitary sewer system as well as supports
payments to debt service and maintains reserve and contingency funds based on
their wastewater contribution, including replacement costs. These rates shall be
reviewed at least annually.

A. Base and usage charges

- (1) The base sewer service charge shall consist of a fixed amount, not
associated with any flow allowance, deemed to be an availability charge
assessed to all single-family residences, apartment units, businesses,
institutions, and any other class of users not mentioned. It shall be
determined by the City Council to be sufficient to reimburse the City for
costs associated with sewer debt service and the maintenance of reserve
and contingency funds or any other charges deemed fixed by the City
Council. This rate shall be set forth in Chapter 180, Municipal Fees. The
charge shall apply to all users with a flow rate of up to 250 gallons per day
or 91,250 gallons per year of the previous calendar year. Users with flow
rates exceeding 250 gallons per day or 91,250 gallons per year shall be
assessed an additional base charge for each 250 gallons per day or
91,250 gallons per year. If this data is unavailable for calculation, partial
calendar year data, historical data or engineering estimates may be used
to calculate the base charge until such time as calendar year data is
available. All multiplier calculations shall be rounded to the nearest even
number. If two or more residences, apartments, businesses, institutions,
or any other class of users not mentioned are connected through a single
meter, the base amount shall be computed as though each such user was

a separate property or user with a separate connection. All units connected to the system shall be billed for no less than one base charge.

(2) The City usage charge shall consist of an amount set by City Council sufficient to reimburse the City for costs associated with the cost of operating the wastewater utility which includes personnel costs, insurance, general and administrative costs and costs specific to the utility such as chemicals, line repair, etc. This rate shall be set forth in Chapter 180, Municipal Fees. This fee shall be calculated based on wastewater contribution by each user per 1,000 gallons quarterly. Where a group of users is not metered individually, but is metered collectively at one central metered pump station point, the usage at that metered pump station point shall be distributed evenly among all users of the group. Where there is no water meter for residential users, the City shall bill the usage fee based on the average water flow of metered residential users on the system.

(3) The Kent County usage charge shall be set by Kent County to cover the treatment costs associated with wastewater contribution by each user per 1,000 gallons quarterly.

- B. Where there is no sewer meter available, waste water usage charges shall be based on water meter readings. Water meters shall be read by the City and bills submitted quarterly to each user for usage during the previous quarter (three months).
- C. There shall be assessed a late payment charge of 2% per month on all unpaid amounts due and owing the City commencing at least 30 days after the bill is issued by the City.
- D. Wastewater facility charges to out-of-City users shall be at a rate of 1.33 times the in-City user rate established by the City unless special services agreements are executed between the City of Harrington and the user.
- E. Bills for wastewater facility charges shall be mailed to the address of the property owner. Property owners may add a secondary address for bills to be sent to with written notification. Failure to receive a bill as a result of incorrect address or otherwise shall not excuse nonpayment of a bill or extend the time for payment.
- F. Bills for wastewater facility charges shall be payable not less than 30 days after the date of billing for the period.

Section 2. That Chapter 330 shall be amended by renumbering the existing sections to accommodate a new § 330-2, which shall be read as follows:

§ 330-2. Sewer service charge established for properties where individual sewer meters are installed.

Usage charges shall be collected from the users of the public sanitary sewer system within or without the corporate limits of the City which proportions the cost of operation, maintenance and improvements to the sanitary sewer system to the users of the public sanitary sewer system as well as supports payments to debt service and maintains reserve and contingency funds based on their wastewater contribution, including replacement costs. These rates shall be reviewed at least annually.

A. Usage charges

- (1) The City usage charge shall consist of an amount set by City Council sufficient to reimburse the City for costs associated with the sewer debt service and the maintenance of reserve and contingency funds, cost of operating the wastewater utility which includes personnel costs, insurance, general and administrative costs and costs specific to the utility such as chemicals, line repair, etc. This rate shall be set forth in Chapter 180, Municipal Fees. This fee shall be calculated based on wastewater contribution by each user per 1,000 gallons quarterly.
- (2) There shall be a minimum charge for usage up to 20,000 gallons for users in this classification.
- (3) The Kent County usage charge shall be set by Kent County to cover the treatment costs associated with wastewater contribution by each user per 1,000 gallons quarterly.

B. There shall be assessed a late payment charge of 2% per month on all unpaid amounts due and owing the City commencing at least 30 days after the bill is issued by the City.

C. Wastewater facility charges to out-of-City users shall be at a rate of 1.33 times the in-City user rate established by the City unless special services agreements are executed between the City of Harrington and the user.

D. Bills for wastewater facility charges shall be mailed to the address of the property owner. Property owners may add a secondary address for bills to be sent to with written notification. Failure to receive a bill as a result of incorrect address or otherwise shall not excuse nonpayment of a bill or extend the time for payment.

E. Bills for wastewater facility charges shall be payable not less than 30 days after the date of billing for the period.

Section 3. That Chapter 330 shall be amended by deleting § 330-3 and renumbering the remaining sections in the chapter.

Section 4. That § 330-4 shall be amended by deleting the definition for City of Harrington.

Section 5. That § 330-4 shall be amended by deleting the existing definitions for City Manager and Equivalent Dwelling Unit and substituting in lieu thereof the following:

CITY MANAGER

Means the duly appointed or designated City Manager of the City of Harrington, as well as such other person under his or her supervision who is appointed to enforce the provisions of this chapter.

EQUIVALENT DWELLING UNIT (EDU)

A term used to express the load produced on a sanitary sewerage system approximately equal to one dwelling place or 250 gallons per day.

Section 6. That § 330-5 A shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- A. All properties, residential, commercial, industrial and institutional, within the corporate limits of the City of Harrington discharging wastes must be connected to the municipal sanitary sewer system. This also applies to properties to be annexed into the corporate limits. No privately owned sewer transmission and/or treatment and disposal systems will be permitted within the corporate limits. For complete disconnection from system of demolished properties see § 399-7.

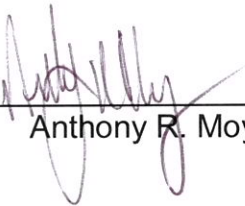
Section 7. That § 330-5 E shall be amended by deleting the term “practicable” and substituting in lieu thereof the term “practical.”

Section 8. That Chapter 330 shall be amended by deleting § 330-9 and renumbering the remaining sections in the chapter.

Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Effective Date. The Clerk of Council shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session of Harrington City Council, to be effective upon signing.



Anthony R. Moyer, Mayor

Attest: 

Kelly Blanchies, Clerk of Council

Date of Adoption: June 16, 2014

SYNOPSIS

This Ordinance amends Chapter 330 to outline a method for billing sewer users base and usage charges in order to operate and maintain the sanitary sewer system.

First Reading: May 19, 2014
Public Hearing: June 16, 2014
Second Reading: June 16, 2014